

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of invention II in the reply filed on 6/11/08 is acknowledged.
2. Claims 1-6, 8, and 20-22 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention I and species C, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 6/11/08.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 7, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Marino et al. (US 6,971,464 B2).
5. Marino et al. discloses a vehicle comprising a pair of ground engaging drive elements or wheels (not numbered), a sensor 14, and controller 18 for adjusting the guidance of the vehicle relative to a path guide 20, as shown in figures 1-6.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 10 and 13-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marino et al., as applied to claim 7 above, and further in view of Rhodes, Jr. (US 4,307,922 A).

Marino et al. does not disclose a hanger guide with mechanical position sensors. Rhodes, Jr. does disclose a movable rack including an obstruction indication, hanger guides 44 with mechanical position sensor 42, as shown in figures 1-2. It would have been obvious to one having ordinary skill in the art at the time of the invention to have provided the vehicle of Marino et al. with the rack, obstruction sensor, and hanger system of Rhodes, Jr. in order to navigate a rack system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey J. Restifo whose telephone number is (571) 272-6697. The examiner can normally be reached on M-F 10-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3618

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